

The Honorable Robert S. Lasnik

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA**

SUSAN SOTO PALMER, et al.,

Plaintiffs,

v.

STEVEN HOBBS, et al.,

Defendants.

NO. 3:22-cv-5035-RSL

DEFENDANT STEVEN HOBBS'  
AMENDED ANSWER TO COMPLAINT  
FOR DECLARATORY AND  
INJUNCTIVE RELIEF

Defendant Steven Hobbs hereby answers Plaintiffs' Complaint as follows. To the extent an allegation is directed to either or both Defendant Laurie Jenkins or Andy Billig, Defendant Hobbs is without sufficient information to form a belief as to the truth of the allegation and therefore denies.

Defendant Hobbs reserves the right to amend this pleading as permitted by this Court's rules and orders, including Fed. R. Civ. P. 15.

**INTRODUCTION**

1. This Paragraph and the statement preceding it state a legal conclusion to which no response is required. To the extent a response is required, Defendant Hobbs is without information sufficient to form a belief as to the truth of the allegations in this Paragraph, and therefore denies.

2. Defendant Hobbs admits that District 15 includes parts of the Yakima Valley and Pasco. The remaining allegation in this Paragraph states a legal conclusion to which no response is required. To the extent a response is required, Defendant Hobbs denies the remaining allegation in this Paragraph.

3. This Paragraph states a legal conclusion to which no response is required. To the extent a response is required, Defendant Hobbs is without information sufficient to form a belief as to the truth of the allegations in this paragraph, and therefore denies.

4. Defendant Hobbs is without information sufficient to form a belief as to the truth of the allegations in this Paragraph, and therefore denies.

5. Defendant Hobbs admits that the cities of Yakima, Toppenish, Wapato, and Mabton are located in Yakima County. Defendant Hobbs also admits that the Commission included communities in Benton, Grant, and Franklin counties. Defendant Hobbs is without information sufficient to form a belief as to the truth of the allegations in the remainder of this Paragraph, and therefore denies.

6. Defendant Hobbs is without information sufficient to form a belief as to the truth of the allegations in this Paragraph, and therefore denies.

7. Defendant Hobbs admits that the City of Othello is located in Adams County and is included in District 15. Defendant Hobbs is without information sufficient to form a belief as to the truth of the allegations in the remainder of this Paragraph, and therefore denies.

8. This Paragraph states a legal conclusion and contains legal arguments to which no response is required. To the extent a response is required, Defendant Hobbs is without information sufficient to form a belief as to the truth of allegations in the remainder of this Paragraph, and therefore denies.

9. This Paragraph states a legal conclusion to which no response is required. To the extent a response is required, Defendant Hobbs is without information sufficient to form a belief as to the truth of allegations in this Paragraph, and therefore denies.

1           10.     Secretary Hobbs admits that the Redistricting Commission designed the current  
2 Legislative District 15. The remainder of this Paragraph states a legal conclusion to which no  
3 response is required. To the extent a response is required, Defendant Hobbs is without  
4 information sufficient to form a belief as to the truth of allegation in this Paragraph, and therefore  
5 denies.

6           11.     This Paragraph states a legal conclusion to which no response is required. To the  
7 extent a response is required, Defendant Hobbs is without information sufficient to form a belief  
8 as to the truth of allegations in this Paragraph, and therefore denies.

9           12.     Defendant Hobbs is without information sufficient to form a belief as to the truth  
10 of the allegations in this Paragraph, and therefore denies.

11          13.     Defendant Hobbs is without information sufficient to form a belief as to the truth  
12 of the allegations in this Paragraph, and therefore denies.

13          14.     Defendant Hobbs is without information sufficient to form a belief as to the truth  
14 of the allegations in this Paragraph, and therefore denies.

15          15.     Defendant Hobbs admits that in the Adams County portion of District 15 (where  
16 Othello is located), former President Donald Trump received 60.73% of ballots counted.  
17 Defendant Hobbs is without information sufficient to form a belief as to the truth of the  
18 remaining allegation in this Paragraph, and therefore denies.

19          16.     Defendant Hobbs is without information sufficient to form a belief as to the truth  
20 of the allegations in this Paragraph, and therefore denies.

21          17.     This Paragraph states a legal conclusion and contains legal arguments to which  
22 no response is required. To the extent a response is required, Defendant Hobbs is without  
23 information sufficient to form a belief as to the truth of allegations in this Paragraph, and  
24 therefore denies.

25          18.     Defendant Hobbs is without information sufficient to form a belief as to the truth  
26 of the allegations in this Paragraph, and therefore denies.

1           19. Defendant Hobbs admits that legislative district elections are held every two years  
2 for the House of Representatives. Defendant Hobbs denies that elections for Senate depend on  
3 whether legislative districts are even- or odd-numbered. Defendant Hobbs is without information  
4 sufficient to form a belief as to the truth of the allegations in this Paragraph, and therefore denies.

5           20. Defendant Hobbs admits that the Commission assigned District 15 an odd  
6 number. Defendant Hobbs is without information sufficient to form a belief as to the truth of the  
7 remaining allegations in this Paragraph, and therefore denies.

8           21. This Paragraph states a legal conclusion and contains legal arguments to which  
9 no response is required. To the extent a response is required, Defendant Hobbs denies the  
10 allegations in this Paragraph.

11           22. This Paragraph states a legal conclusion and contains legal arguments to which  
12 no response is required. To the extent a response is required, Defendant Hobbs admits only that  
13 this Paragraph has accurately quoted a portion of *LULAC v. Perry*, 548 U.S. 399 (2006), which  
14 otherwise speaks for itself. To the extent a further response is required, denied.

15           23. This Paragraph is a continuation of the previous Paragraph, and Defendant Hobbs  
16 incorporates his answer to that Paragraph by reference. To the extent a further response is  
17 required, Defendant Hobbs is without information sufficient to form a belief as to the truth of  
18 the allegations in this Paragraph, and therefore denies.

19           24. Defendant Hobbs is without information sufficient to form a belief as to the truth  
20 of the allegations in this Paragraph, and therefore denies.

21           25. Defendant Hobbs is without information sufficient to form a belief as to the truth  
22 of the allegations in this Paragraph, and therefore denies.

23           26. Defendant Hobbs admits that current District 15 includes portions of Yakima  
24 County. Defendant Hobbs admits that, according to 5-year American Community Survey data,  
25 the former District 15 had an HCVAP of 39.49%.

27. Defendant Hobbs admits that Maria Cantwell was a candidate for U.S. Senate in 2018. Defendant Hobbs denies that Maria Cantwell received 43.3% of the vote. Defendant Hobbs admits that Evangelina Aguilar was a candidate for state senate in District 15 that year and that she received 39.41% of ballots counted. Defendant Hobbs is without information sufficient to form a belief as to the truth of the allegations in the remainder of this Paragraph, and therefore denies.

28. Defendant Hobbs is without information sufficient to form a belief as to the truth of the allegations in this Paragraph, and therefore denies.

29. Defendant Hobbs is without information sufficient to form a belief as to the truth of the allegations in this Paragraph, and therefore denies.

30. Defendant Hobbs admits that this Paragraph contains references to two articles from the Seattle Times and Crosscut from November 10, 2021, and October 21, 2021, respectively. Defendant Hobbs otherwise denies.

31. Defendant Hobbs is without information sufficient to form a belief as to the truth of the allegations in this Paragraph, and therefore denies.

32. With the exception of presidential preference primaries, Defendant Hobbs denies that races require political affiliation. Defendant Hobbs is without information sufficient to form a belief as to the truth of the remaining allegations in this Paragraph, and therefore denies.

33. Defendant Hobbs is without information sufficient to form a belief as to the truth of the allegations in this Paragraph, and therefore denies.

34. This Paragraph states a legal conclusion and contains legal arguments to which no response is required. To the extent a response is required, Defendant Hobbs denies the allegations in this Paragraph.

### **JURISDICTION AND VENUE**

35. This Paragraph asserts legal conclusions and questions of law to be determined by the Court, to which no response is required. To the extent that a response is required,

1 Defendant Hobbs admits that this Court has jurisdiction over the federal law claims in this action,  
2 but denies all necessary parties have been joined.

3 36. This Paragraph asserts legal conclusions and questions of law to be determined  
4 by the Court, to which no response is required. To the extent that a response is required,  
5 Defendant Hobbs admits that the referenced provisions relate to the award of costs and attorney's  
6 fees.

7 37. This Paragraph asserts legal conclusions and questions of law to be determined  
8 by the Court, to which no response is required. To the extent that a response is required,  
9 Defendant Hobbs admits that he is a state official who resides in Washington and performs  
10 official duties in Olympia, Washington.

11 38. This Paragraph asserts legal conclusions and questions of law to be determined  
12 by the Court, to which no response is required. To the extent that a response is required,  
13 Defendant Hobbs admits only that venue is proper in this judicial district and that he is a state  
14 official performing official duties in the Western District of Washington.

### 15 **PARTIES**

16 39. Defendant Hobbs admits that Plaintiff Susan Soto Palmer is a registered voter in  
17 the State of Washington and has attested that she is over the age of eighteen and a United States  
18 citizen. Defendant Hobbs is without information sufficient to form a belief as to the truth of the  
19 remaining allegations in this Paragraph.

20 40. Defendant Hobbs admits that Plaintiff Soto Palmer has provided a residential  
21 address that is in Yakima Washington, in Yakima County, and that the address is in the current  
22 District 15. Defendant Hobbs is without information sufficient to form a belief as to the truth of  
23 the remaining allegations in this Paragraph.

24 41. Defendant Hobbs admits that Plaintiff Alberto Isaac Macias is a registered voter  
25 in the State of Washington and has attested that he is over the age of eighteen and a United States  
26

1 citizen. Defendant Hobbs is without information sufficient to form a belief as to the truth of the  
 2 remaining allegations in this Paragraph.

3 42. Defendant Hobbs admits that Plaintiff Macias has provided a residential address  
 4 in Yakima, Washington, in Yakima County, and that the address is in the current District 15.  
 5 Defendant Hobbs is without information sufficient to form a belief as to the truth of the  
 6 remaining allegations in this Paragraph.

7 43. Defendant Hobbs is without information sufficient to form a belief as to the truth  
 8 of the allegations in this Paragraph.

9 44. Defendant Hobbs is without information sufficient to form a belief as to the truth  
 10 of the allegations in this Paragraph.

11 45. Defendant Hobbs admits that Plaintiff Fabiola Lopez is a registered voter in the  
 12 State of Washington and has attested that she is over the age of eighteen and a United States  
 13 citizen. Defendant Hobbs is without information sufficient to form a belief as to the truth of the  
 14 remaining allegations in this Paragraph.

15 46. Defendant Hobbs admits that Plaintiff Lopez has a provided a residential address  
 16 in Toppenish, Washington, in Yakima County, and that the address is in the current District 14.  
 17 Defendant Hobbs is without information sufficient to form a belief as to the truth of the  
 18 allegations in this Paragraph.

19 47. Defendant Hobbs admits that Plaintiff Caty Padilla is a registered voter in the  
 20 State of Washington (under the surname Padilla Johnson) and has attested that she is over the  
 21 age of eighteen and a United States citizen. Defendant Hobbs is without information sufficient  
 22 to form a belief as to the truth of the remaining allegations in this Paragraph.

23 48. Defendant Hobbs admits that Plaintiff Padilla has provided a residential address  
 24 in Toppenish, Washington, in Yakima County, and that the address is in the current District 14.  
 25 Defendant Hobbs is without information sufficient to form a belief as to the truth of the  
 26 remaining allegations in this Paragraph.

1           49. Defendant Hobbs admits that Plaintiff Evangelina Aguilar is a registered voter in  
 2 the State of Washington and has attested that she is over the age of eighteen and a United States  
 3 citizen. Defendant Hobbs is without information sufficient to form a belief as to the truth of the  
 4 remaining allegations in this Paragraph.

5           50. Defendant Hobbs admits that Plaintiff Aguilar has provided a residential address  
 6 in Sunnyside, Washington, in Yakima County, and that the address is in the current District 15.  
 7 Defendant Hobbs is without information sufficient to form a belief as to the truth of the  
 8 remaining allegations in this Paragraph.

9           51. Defendant Hobbs admits that Plaintiff Lizette Parra is a registered voter in the  
 10 State of Washington and has attested that she is over the age of eighteen and a United States  
 11 citizen. Defendant Hobbs is without information sufficient to form a belief as to the truth of the  
 12 remaining allegations in this Paragraph.

13           52. Defendant Hobbs admits that Plaintiff Parra has provided a residential address in  
 14 Pasco, Washington, in Franklin County, and that the address is in the current District 15.  
 15 Defendant Hobbs is without information sufficient to form a belief as to the truth of the  
 16 remaining allegations in this Paragraph.

17           53. Defendant Hobbs admits that Plaintiff Heliodora Morfin is a registered voter in  
 18 the State of Washington and has attested that she is over the age of eighteen and a United States  
 19 citizen. Defendant Hobbs is without information sufficient to form a belief as to the truth of the  
 20 remaining allegations in this Paragraph.

21           54. Defendant Hobbs admits that Plaintiff Morfin has provided a residential address  
 22 in Pasco, Washington, in Franklin County, and that the address is in the current District 15.  
 23 Defendant Hobbs is without information sufficient to form a belief as to the truth of the  
 24 allegations in this Paragraph.

25           55. This Paragraph asserts legal conclusions and questions of law to be determined  
 26 by the Court, to which no response is required. To the extent that a response is required,



1 Defendant Hobbs is without information sufficient to form a belief as to the truth of the  
2 allegations in this Paragraph, and therefore denies.

3 56. Defendant Hobbs admits that Southcentral Coalition of People of Color for  
4 Redistricting is a Washington non-profit organization. Defendant Hobbs is without information  
5 sufficient to form a belief as to the truth of the remaining allegations in this Paragraph, and  
6 therefore denies.

7 57. Defendant Hobbs is without information sufficient to form a belief as to the truth  
8 of the allegations in this Paragraph, and therefore denies.

9 58. Defendant Hobbs is without information sufficient to form a belief as to the truth  
10 of the allegations in this Paragraph, and therefore denies.

11 59. Defendant Hobbs admits that the language in quotations in the second sentence  
12 of this Paragraph accurately quotes a portion of Wash. Rev. Code § 29A.04.230. Defendant  
13 Hobbs admits that Wash. Rev. Code § 29A.04.255 provides the Secretary of State will accept  
14 and file certain documents, including some declarations of candidacy. Defendant Hobbs admits  
15 that the Complaint purports to assert a claim against Defendant Hobbs in his official capacity as  
16 the Secretary of State of Washington. Otherwise, this Paragraph asserts legal conclusions and  
17 questions of law to be determined by the Court, to which no response is required. To the extent  
18 that a response is required, Defendant Hobbs denies.

19 60. Defendant Hobbs admits that Defendant Jenkins is the current Speaker of the  
20 Washington State House of Representatives and that the Complaint purports to assert claims  
21 against Defendant Jenkins in her official capacity. Otherwise, this Paragraph asserts legal  
22 conclusions and questions of law to be determined by the Court, to which no response is required.  
23 To the extent that a response is required, Defendant Hobbs denies.

24 61. Defendant Hobbs admits that Defendant Billig is the current Senate Majority  
25 Leader of the Washington State Senate and that the Complaint purports to assert a claim against  
26 him in his official capacity. Otherwise, this Paragraph asserts legal conclusions and questions of

1 law to be determined by the Court, to which no response is required. To the extent that a response  
2 is required, Defendant Hobbs denies.

### 3 **LEGAL BACKGROUND**

4 62. This Paragraph asserts legal conclusions and questions of law to be determined  
5 by the Court, to which no response is required. To the extent that a response is required,  
6 Defendant Hobbs admits that the language in quotations is accurate but denies that the Paragraph  
7 is a complete or accurate recitation or summary of the referenced law.

8 63. This Paragraph asserts legal conclusions and questions of law to be determined  
9 by the Court, to which no response is required. To the extent that a response is required,  
10 Defendant Hobbs admits only that this Paragraph has accurately quoted a portion of *Thornburg*  
11 *v. Gingles*, 478 U.S. 30 (1986), which otherwise speaks for itself. To the extent a further response  
12 is required, denied.

13 64. This Paragraph asserts legal conclusions and questions of law to be determined  
14 by the Court, to which no response is required. To the extent that a response is required,  
15 Defendant Hobbs admits only that this Paragraph has accurately quoted a portion of *Thornburg*  
16 *v. Gingles*, 478 U.S. 30 (1986), which otherwise speaks for itself. To the extent a further response  
17 is required, denied.

18 65. This Paragraph asserts legal conclusions and questions of law to be determined  
19 by the Court, to which no response is required. To the extent that a response is required,  
20 Defendant Hobbs admits only that this Paragraph has accurately quoted a portion of *N. Carolina*  
21 *State Conf. of NAACP v. McCrory*, 831 F.3d 204 (4th Cir. 2016), which otherwise speaks for  
22 itself. To the extent a further response is required, denied.

23 66. This Paragraph asserts legal conclusions and questions of law to be determined  
24 by the Court, to which no response is required. To the extent that a response is required, denied.

25 67. This Paragraph asserts legal conclusions and questions of law to be determined  
26 by the Court, to which no response is required. To the extent that a response is required, denied.

68. This Paragraph asserts legal conclusions and questions of law to be determined by the Court, to which no response is required. To the extent that a response is required, denied.

69. This Paragraph asserts legal conclusions and questions of law to be determined by the Court, to which no response is required. To the extent that a response is required, Defendant Hobbs admits only that this Paragraph has accurately quoted a portion of *United States v. Marengo Cnty. Comm'n*, 731 F.2d 1546 (11th Cir. 1984), which otherwise speaks for itself. To the extent a further response is required, denied.

70. This Paragraph asserts legal conclusions and questions of law to be determined by the Court, to which no response is required. To the extent that a response is required, admitted.

71. This Paragraph asserts legal conclusions and questions of law to be determined by the Court, to which no response is required. To the extent that a response is required, Defendant Hobbs admits only that this Paragraph has accurately quoted portions of *Village of Arlington Heights v. Metropolitan Housing Development Corp.*, 429 U.S. 252 (1977) and *N. Carolina State Conf. of NAACP v. McCrory*, 831 F.3d 204 (4th Cir. 2016), which otherwise speak for themselves. To the extent a further response is required, denied.

72. This Paragraph asserts legal conclusions and questions of law to be determined by the Court, to which no response is required. To the extent that a response is required, Defendant Hobbs admits only that this Paragraph has accurately quoted a portion of *N. Carolina State Conf. of NAACP v. McCrory*, 831 F.3d 204 (4th Cir. 2016), which otherwise speaks for itself. To the extent a further response is required, denied.

73. This Paragraph asserts legal conclusions and questions of law to be determined by the Court, to which no response is required. To the extent that a response is required, Defendant Hobbs admits only that this Paragraph has accurately quoted a portion of *Hunter v. Underwood*, 471 U.S. 222 (1985), which otherwise speaks for itself. To the extent a further response is required, denied.

74. This Paragraph asserts legal conclusions and questions of law to be determined by the Court, to which no response is required. To the extent that a response is required, Defendant Hobbs admits only that this Paragraph has cited two authorities, *Thomas v. Bryant*, 366 F. Supp. 3d 786 (S.D. Miss. 2019), *aff'd*, 938 F.3d 134 (5th Cir. 2019) and *Mo. State Conf. of the NAACP v. Ferguson–Florissant Sch. Dist.*, 894 F.3d 924 (8th Cir. 2018), which both speak for themselves. To the extent a further response is required, denied.

75. This Paragraph states a legal conclusion and contains legal arguments to which no response is required. To the extent a response is required, Defendant Hobbs admits only that this Paragraph has accurately quoted a portion of *LULAC v. Perry*, 548 U.S. 399 (2006), which otherwise speaks for itself. To the extent a further response is required, admitted.

76. This Paragraph asserts legal conclusions and questions of law to be determined by the Court, to which no response is required. To the extent that a response is required, Defendant Hobbs admits only that this Paragraph has cited a case, *Perez v. Abbott*, 250 F. Supp. 3d 123 (W.D. Tex. 2017), which speaks for itself. To the extent a further response is required, denied.

77. This Paragraph asserts legal conclusions and questions of law to be determined by the Court, to which no response is required. To the extent that a response is required, Defendant Hobbs admits only that this Paragraph has cited a case, *Perez v. Abbott*, 250 F. Supp. 3d 123 (W.D. Tex. 2017), and accurately quoted a portion of *LULAC v. Perry*, 548 U.S. 399 (2006), which otherwise both speak for themselves. To the extent a further response is required, denied.

**FACTUAL ALLEGATIONS**

**A. 2020 Demographic Changes in Washington State**

78. Defendant Hobbs admits that, according to 2020 Census data, more than one million people in Washington State identify as Hispanic or Latino.

79. Defendant Hobbs admits that, according to 2020 Census data, Washington State has the eleventh largest number of people who identify as Hispanic or Latino of the fifty states.

80. This Paragraph asserts legal conclusions and questions of law to be determined by the Court, to which no response is required. To the extent that a response is required, Defendant Hobbs admits only that this Paragraph cites a statute, 13 U.S.C. § 141(c), which speaks for itself. To the extent a further response is required, denied.

81. Admitted.

82. This Paragraph asserts legal conclusions and questions of law to be determined by the Court, to which no response is required. To the extent that a response is required, Defendant Hobbs admits only that this Paragraph cites a statute, Wash. Rev. Code § 44.05.140, which speaks for itself. To the extent a further response is required, denied.

83. Admitted.

84. Defendant Hobbs is without information sufficient to form a belief as to the truth of the allegations in this Paragraph, and therefore denies.

85. Defendant Hobbs admits that, according to 2020 Census data, the number of people in Washington who identify as Hispanic or Latino has increased by 303,423 people since 2010 and that this represents an increase of 40.1%. Defendant Hobbs admits that the increase in population of persons who do not identify as Hispanic or Latino is 11.3%.

86. Defendant Hobbs is without information sufficient to form a belief as to the truth of the allegations in this Paragraph, and therefore denies.

87. Defendant Hobbs is without information sufficient to form a belief as to the truth of the allegations in this Paragraph, and therefore denies.

1           88. Defendant Hobbs admits that, according to 2020 Census data, there has been an  
2 increase since 2010 of more than 20,000 people in Yakima County who identify as Hispanic or  
3 Latino.

4           89. Admitted.

5           90. Defendant Hobbs admits that, according to 2020 Census data, the number of  
6 people in Yakima County in 2020 who identify as Hispanic or Latino was 130,049. Defendant  
7 Hobbs admits that, according to 2020 Census data, people who identify as Hispanic or Latino  
8 comprise 50.65% of the population of Yakima County. Defendant Hobbs admits that, according  
9 to 2010 Census data, people who identify as Hispanic or Latino comprised 45.0% of the  
10 population of Yakima County.

11           91. Defendant Hobbs admits that, according to 2020 Census data, there has been an  
12 increase since 2010 of more than 12,000 people in Franklin County who identify as Hispanic or  
13 Latino.

14           92. Defendant Hobbs admits that, according to 2020 Census data, 52,445 people in  
15 Franklin County identify as Hispanic or Latino and that this represents 54.2% of the population  
16 of Franklin County.

17           93. Defendant Hobbs admits that, according to 2020 Census data, 49,339 people in  
18 Benton County identify as Hispanic or Latino and that this represents an increase of 16,643  
19 people as compared to data from the 2010 Census.

20           94. Admitted.

21           95. Admitted.

22           96. Admitted.

23           97. Defendant Hobbs admits that, according to 2020 Census data, the total population  
24 of people in 2020, in Yakima County, Franklin County, and Benton County who identified as  
25 Hispanic or Latino was 231,833. Defendant Hobbs is without information sufficient to form a  
26 belief as to the truth of the remaining allegations in this Paragraph, and therefore denies.

1           98. Defendant Hobbs is without information sufficient to form a belief as to the truth  
2 of the allegations in this Paragraph, and therefore denies.

3 **B. The Washington State Redistricting Commission**

4           99. This Paragraph asserts legal conclusions and questions of law to be determined  
5 by the Court, to which no response is required. To the extent that a response is required,  
6 Defendant Hobbs admits that article II, section 43 of the Washington Constitution provides a  
7 process for establishing a five-member bipartisan redistricting commission in every year ending  
8 in one.

9           100. Admitted.

10          101. Admitted.

11          102. This Paragraph asserts legal conclusions and questions of law to be determined  
12 by the Court, to which no response is required. To the extent that a response is required,  
13 Defendant Hobbs admits that this Paragraph accurately quotes article II, section 43 of the  
14 Washington Constitution, which speaks for itself.

15          103. This Paragraph asserts legal conclusions and questions of law to be determined  
16 by the Court, to which no response is required. To the extent that a response is required,  
17 Defendant Hobbs admits that this Paragraph accurately quotes Wash. Rev. Code § 44.05.100,  
18 which otherwise speaks for itself. To the extent a further response is required, denied.

19          104. This Paragraph asserts legal conclusions and questions of law to be determined  
20 by the Court, to which no response is required. To the extent that a response is required,  
21 Defendant Hobbs admits that this Paragraph cites to two statutory authorities, Wash. Rev. Code  
22 § 44.05.090 and Wash Rev. Code § 44.05.140, both of which speak for themselves. To the extent  
23 a further response is required, denied.

24          105. This Paragraph asserts legal conclusions and questions of law to be determined  
25 by the Court, to which no response is required. To the extent that a response is required,  
26

1 Defendant Hobbs admits that this Paragraph cites to a statutory authority, Wash. Rev. Code  
2 § 44.05.110, which speaks for itself. To the extent a further response is required, denied.

3 106. This Paragraph asserts legal conclusions and questions of law to be determined  
4 by the Court, to which no response is required. To the extent that a response is required,  
5 Defendant Hobbs admits that this Paragraph includes a reference to a statutory authority, Wash.  
6 Rev. Code § 44.05.110, which speaks for itself. To the extent a further response is required,  
7 denied.

8 107. This Paragraph asserts legal conclusions and questions of law to be determined  
9 by the Court, to which no response is required. To the extent that a response is required,  
10 Defendant Hobbs admits that this Paragraph accurately quotes Wash. Rev. Code § 44.05.110,  
11 which otherwise speaks for itself. To the extent a further response is required, denied.

12 108. This Paragraph asserts legal conclusions and questions of law to be determined  
13 by the Court, to which no response is required. To the extent that a response is required,  
14 Defendant Hobbs admits that this Paragraph accurately quotes Wash. Rev. Code § 44.05.120,  
15 which otherwise speaks for itself. To the extent a further response is required, denied.

16 109. This Paragraph asserts legal conclusions and questions of law to be determined  
17 by the Court, to which no response is required. To the extent that a response is required, admitted.

18 **C. 2021 Washington State Redistricting Commission's Official Actions and Approval**  
19 **of Final Maps**

20 110. Admitted.

21 111. Admitted.

22 112. Admitted.

23 113. Admitted.

24 114. Admitted.

25 115. Defendant Hobbs is without information sufficient to form a belief as to the truth  
26 of the allegations in this Paragraph, and therefore denies.



1           116. Defendant Hobbs is without information sufficient to form a belief as to the truth  
2 of the allegations in this Paragraph, and therefore denies.

3           117. Defendant Hobbs is without information sufficient to form a belief as to the truth  
4 of the allegations in this Paragraph, and therefore denies.

5           118. Defendant Hobbs is without information sufficient to form a belief as to the truth  
6 of the allegations in this Paragraph, and therefore denies.

7           119. Defendant Hobbs is without information sufficient to form a belief as to the truth  
8 of the allegations in this Paragraph, and therefore denies.

9           120. Defendant Hobbs is without information sufficient to form a belief as to the truth  
10 of the allegations in this Paragraph, and therefore denies.

11           121. Defendant Hobbs is without information sufficient to form a belief as to the truth  
12 of the allegations in this Paragraph, and therefore denies.

13           122. Defendant Hobbs is without information sufficient to form a belief as to the truth  
14 of the allegations in this Paragraph, and therefore denies.

15           123. Defendant Hobbs is without information sufficient to form a belief as to the truth  
16 of the allegations in this Paragraph, and therefore denies.

17           124. Defendant Hobbs is without information sufficient to form a belief as to the truth  
18 of the allegations in this Paragraph, and therefore denies.

19           125. Defendant Hobbs is without information sufficient to form a belief as to the truth  
20 of the allegations in this Paragraph, and therefore denies.

21           126. Defendant Hobbs admits that a document titled *Assessment of Voting Patterns in*  
22 *Central/Eastern Washington and Review of Federal Voting Rights Act, Section 2 Issues*,  
23 dated October 19, 2021, with the name Dr. Matt Barreto, UCLA Political Science &  
24 Chicana/o Studies, Faculty Director of the UCLA Voting Rights Project on it, can be found at  
25 [https://senatedemocrats.wa.gov/wp-content/uploads/2021/10/Barreto-WA-Redistricting-](https://senatedemocrats.wa.gov/wp-content/uploads/2021/10/Barreto-WA-Redistricting-Public-Version.pdf)  
26 [Public-Version.pdf](https://senatedemocrats.wa.gov/wp-content/uploads/2021/10/Barreto-WA-Redistricting-Public-Version.pdf). To the extent a further response is required, Defendant Hobbs is without

1 information sufficient to form a belief as to the truth of the allegations in this Paragraph, and  
2 therefore denies.

3 127. Defendant Hobbs is without information sufficient to form a belief as to the truth  
4 of the allegations in this Paragraph, and therefore denies.

5 128. Defendant Hobbs is without information sufficient to form a belief as to the truth  
6 of the allegations in this Paragraph, and therefore denies.

7 129. Defendant Hobbs is without information sufficient to form a belief as to the truth  
8 of the allegations in this Paragraph, and therefore denies.

9 130. Defendant Hobbs admits that page 18 of the document referenced in Defendant's  
10 response to Paragraph 126 of the Complaint includes the phrase "Text-book 'cracking' of Latino  
11 population[.]" Defendant Hobbs is without information sufficient to form a belief as to the truth  
12 of the allegations in the remainder of this Paragraph, and therefore denies.

13 131. This Paragraph asserts legal conclusions and questions of law to be determined  
14 by the Court, to which no response is required. To the extent that a response is required,  
15 Defendant Hobbs admits that this Paragraph cites to a case, *Clerveaux v. E. Ramapo Cent. Sch.*  
16 *Dist.*, 984 F.3d 213 (2d Cir. 2020), which speaks for itself. To the extent a further response is  
17 required, Defendant Hobbs is without information sufficient to form a belief as to the truth of  
18 the allegations in the remainder of this Paragraph, and therefore denies.

19 132. Defendant Hobbs is without information sufficient to form a belief as to the truth  
20 of the allegations in this Paragraph, and therefore denies.

21 133. Defendant Hobbs admits that a document titled *Proposed WA redistricting maps*  
22 *may violate Voting Rights Act*, dated October 21, 2021, updated at 11:16 a.m. on Thursday,  
23 Oct. 21, with the name Melissa Santos on it, can be found at [https://crosscut.com/politics/2021/](https://crosscut.com/politics/2021/10/proposed-wa-redistricting-maps-may-violate-voting-rights-act)  
24 [10/proposed-wa-redistricting-maps-may-violate-voting-rights-act](https://crosscut.com/politics/2021/10/proposed-wa-redistricting-maps-may-violate-voting-rights-act). Defendant Hobbs further  
25 admits that additional websites reference statements made by Dr. Barreto. Defendant Hobbs is  
26

1 without information sufficient to form a belief as to the truth of the allegations in the remainder  
2 of this Paragraph, and therefore denies.

3 134. Defendant Hobbs admits that the Senate Democratic Caucus posted a webpage,  
4 [https://senatedemocrats.wa.gov/blog/2021/10/21/new-definitive-analysis-by-ucla-voting-](https://senatedemocrats.wa.gov/blog/2021/10/21/new-definitive-analysis-by-ucla-voting-rights-expert-final-washington-state-legislative-plan-must-include-vra-compliant-district-in-the-yakima-valley/)  
5 [rights-expert-final-washington-state-legislative-plan-must-include-vra-compliant-district-in-](https://senatedemocrats.wa.gov/blog/2021/10/21/new-definitive-analysis-by-ucla-voting-rights-expert-final-washington-state-legislative-plan-must-include-vra-compliant-district-in-the-yakima-valley/)  
6 [the-yakima-valley/](https://senatedemocrats.wa.gov/blog/2021/10/21/new-definitive-analysis-by-ucla-voting-rights-expert-final-washington-state-legislative-plan-must-include-vra-compliant-district-in-the-yakima-valley/), which includes a hyperlink to the document referenced in Defendant's  
7 response to Paragraph 126 of the Complaint. The Senate Democratic Caucus webpage includes  
8 a date of October 21. Defendant Hobbs is without information sufficient to form a belief as to  
9 the truth of the allegations in the remainder of this Paragraph, and therefore denies.

10 135. Defendant Hobbs is without information sufficient to form a belief as to the truth  
11 of the allegations in this Paragraph, and therefore denies.

12 136. Defendant Hobbs is without information sufficient to form a belief as to the truth  
13 of the allegations in this Paragraph, and therefore denies.

14 137. Defendant Hobbs admits that that the document referenced in Defendant's  
15 response to Paragraph 126 of the Complaint contains a slide 22, titled *VRA Complaint Option-*  
16 *1: Yakima-Columbia River Valley*, and a slide 23, titled *VRA Compliant Option-2: Yakama*  
17 *Reservation*. Otherwise, this Paragraph asserts legal conclusions and questions of law to be  
18 determined by the Court, to which no response is required. To the extent a further response is  
19 required, Defendant Hobbs is without information sufficient to form a belief as to the truth of  
20 the allegations in the remainder of this Paragraph, and therefore denies.

21 138. Defendant Hobbs admits that the document referenced in Defendant's response  
22 to Paragraph 126 of the Complaint contains a slide 22, titled *VRA Compliant Option-1: Yakima-*  
23 *Columbia River Valley*, which includes a text box with the phrase "Latino CVAP 60%."  
24 Otherwise, this Paragraph asserts legal conclusions and questions of law to be determined by the  
25 Court, to which no response is required. To the extent a further response is required, Defendant  
26

1 Hobbs is without information sufficient to form a belief as to the truth of the allegations in this  
2 Paragraph, and therefore denies.

3 139. Defendant Hobbs admits that the document referenced in Defendant's response  
4 to Paragraph 126 contains a slide 23, titled *VRA Compliant Option-2: Yakama Reservation*,  
5 which contains a text box which includes the phrase "Latino CVAP 52%." Otherwise, this  
6 Paragraph asserts legal conclusions and questions of law to be determined by the Court, to which  
7 no response is required. To the extent a further response is required, Defendant Hobbs is without  
8 information sufficient to form a belief as to the truth of the allegations in this Paragraph, and  
9 therefore denies.

10 140. Defendant Hobbs is without information sufficient to form a belief as to the truth  
11 of the allegations in this Paragraph, and therefore denies.

12 141. Defendant Hobbs admits that the quoted language appeared in the document  
13 referenced in Defendant's response to Paragraph 133 of the Complaint. Defendant Hobbs is  
14 without information sufficient to form a belief as to the truth of the allegations in the remainder  
15 of this Paragraph, and therefore denies.

16 142. Defendant Hobbs admits that the website <http://redistricting.wa.gov> includes  
17 links to "Revised Map October 25, 2021" with another link to "View Revised Map & Comment  
18 Online" under the names of both Commissioner Piñero Walkinshaw and Commissioner Sims.  
19 Defendant Hobbs is without information sufficient to form a belief as to the truth of the  
20 allegations in the remainder of this Paragraph, and therefore denies.

21 143. Defendant Hobbs admits that the documents referenced in Defendant's response  
22 to Paragraph 142 of the Complaint purport to include legislative districts for the entirety of the  
23 State of Washington. Defendant Hobbs is without information sufficient to form a belief as to  
24 the truth of the allegations in the remainder of this Paragraph, and therefore denies.

25 144. This Paragraph states a legal conclusion to which no response is required. To the  
26 extent a response is required, denied.

1           145. Defendant Hobbs admits that the Washington Supreme Court issued an order on  
 2 December 3, 2021, describing a letter sent to the Court on November 16, 2021, by Sarah  
 3 Augustine, the chair of the Washington State Redistricting Commission (Commission), “stating  
 4 that the Commission was unable to adopt a redistricting plan by the midnight deadline of  
 5 November 15, 2021.” General Order No. 25700-B-676, *In re Washington State Redistricting*  
 6 *Commission’s Letter to the Supreme Court on November 16, 2021 and the Commission Chair’s*  
 7 *November 21, 2021, Declaration* (Wash.), [https://www.courts.wa.gov/content/publicUpload/R](https://www.courts.wa.gov/content/publicUpload/Redistricting/Order%2025700B676.pdf)  
 8 [edistricting/Order%2025700B676.pdf](https://www.courts.wa.gov/content/publicUpload/Redistricting/Order%2025700B676.pdf). The remainder of this Paragraph states a legal conclusion  
 9 to which no response is required. To the extent a further response is required, denied.

10           146. Defendant Hobbs is without information sufficient to form a belief as to the truth  
 11 of the allegations in this Paragraph, and therefore denies.

12           147. Defendant Hobbs admits that that the Washington Supreme Court issued an order  
 13 on December 3, 2021, describing a letter sent to the Court on November 16, 2021, by Sarah  
 14 Augustine, the chair of the Washington State Redistricting Commission (Commission), with  
 15 “what she described as a full redistricting plan, consisting of a resolution signed by all four  
 16 commissioners approving the plan, a signed letter transmitting the plan to the majority and  
 17 minority leaders of the Washington State Senate and House of Representatives, and maps and  
 18 legal descriptions of the new congressional and legislative districts.” General Order No. 25700-  
 19 B-676, *In re Washington State Redistricting Commission’s Letter to the Supreme Court on*  
 20 *November 16, 2021 and the Commission Chair’s November 21, 2021, Declaration* (Wash.),  
 21 <https://www.courts.wa.gov/content/publicUpload/Redistricting/Order%2025700B676.pdf>. The  
 22 remainder of this Paragraph states a legal conclusion to which no response is required. To the  
 23 extent a further response is required, denied.

24           148. Defendant Hobbs is without information sufficient to form a belief as to the truth  
 25 of the allegations in this Paragraph, and therefore denies.  
 26

1           149. Defendant Hobbs admits that in a December 3, 2021 order the Washington  
 2 Supreme Court “decline[d] to exercise its authority under article II, subsection 43(6) and  
 3 chapter 44.05 Wash. Rev. Code to adopt a redistricting plan because it concludes that the plan  
 4 adopted by the Washington State Redistricting Commission met the constitutional deadline and  
 5 substantially complied with the statutory deadline to transmit the matter to the legislature.”  
 6 General Order No. 25700-B-676, *In re Washington State Redistricting Commission’s Letter to*  
 7 *the Supreme Court on November 16, 2021 and the Commission Chair’s November 21, 2021,*  
 8 *Declaration* (Wash.), [https://www.courts.wa.gov/content/publicUpload/Redistricting/Order%2](https://www.courts.wa.gov/content/publicUpload/Redistricting/Order%2025700B676.pdf)  
 9 [025700B676.pdf](https://www.courts.wa.gov/content/publicUpload/Redistricting/Order%2025700B676.pdf).

10           150. Admitted.

11       **D. Elections in the Yakima Valley Region Exhibit Racially Polarized Voting**

12           151. Defendant Hobbs is without information sufficient to form a belief as to the truth  
 13 of the allegations in this Paragraph, and therefore denies.

14           152. Defendant Hobbs is without information sufficient to form a belief as to the truth  
 15 of the allegations in this Paragraph, and therefore denies.

16           153. Defendant Hobbs is without information sufficient to form a belief as to the truth  
 17 of the allegations in this Paragraph, and therefore denies.

18           154. Defendant Hobbs is without information sufficient to form a belief as to the truth  
 19 of the allegations in this Paragraph, and therefore denies.

20           155. Defendant Hobbs is without information sufficient to form a belief as to the truth  
 21 of the allegations in this Paragraph, and therefore denies.

22           156. Defendant Hobbs is without information sufficient to form a belief as to the truth  
 23 of the allegations in this Paragraph, and therefore denies.

24           157. Defendant Hobbs is without information sufficient to form a belief as to the truth  
 25 of the allegations in this Paragraph, and therefore denies.

1           158. Defendant Hobbs is without information sufficient to form a belief as to the truth  
2 of the allegations in this Paragraph, and therefore denies.

3           159. Defendant Hobbs is without information sufficient to form a belief as to the truth  
4 of the allegations in this Paragraph, and therefore denies.

5           160. Defendant Hobbs admits that in the 2012 State Representative election for  
6 Legislative District 15, Pablo Gonzalez lost to David Taylor. Defendant Hobbs is without  
7 information sufficient to form a belief as to the truth of the remaining allegations in this  
8 Paragraph, and therefore denies.

9           161. Defendant Hobbs admits that in the 2014 State Senate election for Legislative  
10 District 15, Gabriel Muñoz lost to Jim Honeyford. Defendant Hobbs is without information  
11 sufficient to form a belief as to the truth of the remaining allegations in this Paragraph, and  
12 therefore denies.

13           162. Defendant Hobbs admits that in the 2014 State Representative election for  
14 Legislative District 15, Teodora Martinez-Chavez lost to David Taylor. Defendant Hobbs is  
15 without information sufficient to form a belief as to the truth of the remaining allegations in this  
16 Paragraph, and therefore denies.

17           163. Defendant Hobbs admits that in the 2018 State Senate election for Legislative  
18 District 15, Evangelina Aguilar lost to Jim Honeyford. Defendant Hobbs is without information  
19 sufficient to form a belief as to the truth of the remaining allegations in this Paragraph, and  
20 therefore denies.

21           164. Defendant Hobbs is without information sufficient to form a belief as to the truth  
22 of the allegations in this Paragraph, and therefore denies.

23           165. Defendant Hobbs is without information sufficient to form a belief as to the truth  
24 of the allegations in this Paragraph, and therefore denies.

25           166. Defendant Hobbs admits that in the 2018 State Senate election for Legislative  
26 District 15, Evangelina Aguilar received 72.62% of ballots counted in Yakima County



1 Precinct 104. Defendant Hobbs admits that a majority of the total population of Yakima County  
 2 Precinct 104 identifies as Hispanic or Latino.

3 167. Defendant Hobbs admits that in the 2018 State Senate election for Legislative  
 4 District 15, Evangelina Aguilar received 70.00% of ballots counted in Yakima County Precinct  
 5 501. Defendant Hobbs admits that a majority of the total population of Yakima County Precinct  
 6 501 identifies as Hispanic or Latino. Defendant Hobbs is without information sufficient to form  
 7 a belief as to the truth of the remaining allegations in this Paragraph, and therefore denies.

8 168. Defendant Hobbs is without information sufficient to form a belief as to the truth  
 9 of the allegations in this Paragraph, and therefore denies.

10 169. Defendant Hobbs admits that, using adjusted 2020 Census data, there were 50  
 11 precincts in the former Legislative District 15 in which more than 50% of the total population  
 12 identified as Hispanic or Latino. Evangelina Aguilar received a majority of the ballots cast in 24  
 13 of those 50 precincts. Defendant Hobbs is without information sufficient to form a belief as to  
 14 the truth of the remaining allegations in this Paragraph, and therefore denies.

15 170. Defendant Hobbs is without information sufficient to form a belief as to the truth  
 16 of the allegations in this Paragraph, and therefore denies.

17 171. Defendant Hobbs is without information sufficient to form a belief as to the truth  
 18 of the allegations in this Paragraph, and therefore denies.

19 172. Defendant Hobbs admits that in the 2018 State Senate election for Legislative  
 20 District 15, Evangelina Aguilar received 21.51% of ballots counted in Yakima County  
 21 Precinct 4616. Defendant Hobbs denies that a majority of the population in Precinct 4616  
 22 identifies as White. Defendant Hobbs is without information sufficient to form a belief as to the  
 23 truth of the remaining allegations in this Paragraph, and therefore denies.

24 173. Defendant Hobbs admits that in the 2018 State Senate election for Legislative  
 25 District 15, Evangelina Aguilar received 22.00% of ballots counted in Yakima County  
 26 Precinct 4106. Defendant Hobbs admits that, according to adjusted Census 2020 data, a majority



1 of the total population of Yakima County Precinct 4106 identifies as white alone, not Hispanic.  
 2 Defendant Hobbs is without information sufficient to form a belief as to the truth of the  
 3 remaining allegations in this Paragraph, and therefore denies.

4 174. Defendant Hobbs admits that under Wash. Rev. Code § 29A.04.110, legislative  
 5 state offices are “partisan offices” for which a candidate may indicate a political party preference  
 6 on his or her declaration of candidacy. Defendant Hobbs further admits that Republican Party  
 7 and Democratic Party are party preferences declared by some Washington State legislature  
 8 candidates. Defendant Hobbs is without information sufficient to form a belief as to the truth of  
 9 the allegations in the remainder of this Paragraph, and therefore denies.

10 175. Defendant Hobbs is without information sufficient to form a belief as to the truth  
 11 of the allegations in this Paragraph, and therefore denies.

12 176. Defendant Hobbs is without information sufficient to form a belief as to the truth  
 13 of the allegations in this Paragraph, and therefore denies.

14 177. Defendant Hobbs is without information sufficient to form a belief as to the truth  
 15 of the allegations in this Paragraph, and therefore denies.

16 178. Defendant Hobbs is without information sufficient to form a belief as to the truth  
 17 of the allegations in this Paragraph, and therefore denies.

18 179. Defendant Hobbs is without information sufficient to form a belief as to the truth  
 19 of the allegations in this Paragraph, and therefore denies.

20 180. Defendant Hobbs is without information sufficient to form a belief as to the truth  
 21 of the allegations in this Paragraph, and therefore denies.

22 181. Defendant Hobbs is without information sufficient to form a belief as to the truth  
 23 of the allegations in this Paragraph, and therefore denies.

24 182. Defendant Hobbs is without information sufficient to form a belief as to the truth  
 25 of the allegations in this Paragraph, and therefore denies.  
 26

183. This Paragraph asserts legal conclusions and questions of law to be determined by the Court, to which no response is required. To the extent that a response is required, Defendant Hobbs admits only that this Paragraph has cited a case, *Montes v. City of Yakima*, 40 F. Supp. 3d 1377 (E.D. Wash. 2014), which speaks for itself. To the extent a further response is required, denied.

184. This Paragraph asserts legal conclusions and questions of law to be determined by the Court, to which no response is required. To the extent that a response is required, Defendant Hobbs admits only that this Paragraph has cited a case, *Aguilar v. Yakima County*, Case No. 20-2-0018019 (Kittitas Cnty. Sup. Ct. July 13, 2020), which would speak for itself. To the extent a further response is required, Defendant Hobbs is without sufficient information to form a belief as to the truth of the allegations in the remainder of this Paragraph, and therefore denies.

185. Defendant Hobbs is without information sufficient to form a belief as to the truth of the allegations in this Paragraph, and therefore denies.

186. This Paragraph asserts legal conclusions and questions of law to be determined by the Court, to which no response is required. To the extent that a response is required, Defendant Hobbs admits only that this Paragraph has cited a case, *Glatt v. City of Pasco*, No. 4:16-CV-05108-LRS (E.D. Wash. Jan. 27, 2017), which speaks for itself. To the extent a further response is required, Defendant Hobbs is without sufficient information to form a belief as to the truth of the allegations in the remainder of this Paragraph, and therefore denies.

187. This Paragraph asserts legal conclusions and questions of law to be determined by the Court, to which no response is required. To the extent that a response is required, Defendant Hobbs admits only that this Paragraph has cited a case from California, *Luna v. County of Kern*, 291 F. Supp. 3d 1088 (E.D. Cal. 2018), which speaks for itself. To the extent a further response is required, Defendant Hobbs is without sufficient information to form a belief as to the truth of the allegations in the remainder of this Paragraph, and therefore denies.

1 188. Defendant Hobbs is without information sufficient to form a belief as to the truth  
2 of the allegations in this Paragraph, and therefore denies.

3 189. Defendant Hobbs is without information sufficient to form a belief as to the truth  
4 of the allegations in this Paragraph, and therefore denies.

5 190. Defendant Hobbs is without information sufficient to form a belief as to the truth  
6 of the allegations in this Paragraph, and therefore denies.

7 **E. The Washington Redistricting Commission's Approved State Legislative Map**  
8 **Dilutes the Strength of Latino Voters in the Yakima Valley Region**

9 191. Defendant Hobbs is without information sufficient to form a belief as to the truth  
10 of the allegations in this Paragraph, and therefore denies.

11 192. Defendant Hobbs is without information sufficient to form a belief as to the truth  
12 of the allegations in this Paragraph, and therefore denies.

13 193. Defendant Hobbs is without information sufficient to form a belief as to the truth  
14 of the allegations in this Paragraph, and therefore denies.

15 194. Defendant Hobbs is without information sufficient to form a belief as to the truth  
16 of the allegations in this Paragraph, and therefore denies.

17 195. Defendant Hobbs is without information sufficient to form a belief as to the truth  
18 of the allegations in this Paragraph, and therefore denies.

19 196. Defendant Hobbs is without information sufficient to form a belief as to the truth  
20 of the allegations in this Paragraph, and therefore denies.

21 197. Defendant Hobbs is without information sufficient to form a belief as to the truth  
22 of the allegations in this Paragraph, and therefore denies.

23 198. Defendant Hobbs admits that the Commission's version of Legislative District 15  
24 does not include the cities of Wapato, Toppenish, and Mabton, and does not include areas of the  
25 City of Yakima. Defendant Hobbs is without information sufficient to form a belief as to the  
26 truth of the remaining allegations in this Paragraph, and therefore denies.

1           199. Defendant Hobbs is without information sufficient to form a belief as to the truth  
2 of the allegations in this Paragraph, and therefore denies.

3           200. Defendant Hobbs is without information sufficient to form a belief as to the truth  
4 of the allegations in this Paragraph, and therefore denies.

5           201. Defendant Hobbs admits that the City of Othello is located in Adams County and  
6 is included in District 15. Defendant Hobbs is without information sufficient to form a belief as  
7 to the truth of the allegations in the remainder of this Paragraph, and therefore denies.

8           202. Defendant Hobbs is without information sufficient to form a belief as to the truth  
9 of the allegations in this Paragraph, and therefore denies.

10          203. Defendant Hobbs is without information sufficient to form a belief as to the truth  
11 of the allegations in this Paragraph, and therefore denies.

12          204. Defendant Hobbs denies that 16,147 Adams County voters are included in  
13 Legislative District 15. Defendant Hobbs admits that 16,147 Adams County residents are  
14 included in the Legislative District 15. Defendant Hobbs is without information sufficient to form  
15 a belief as to the truth of the remaining allegations in this Paragraph, and therefore denies.

16          205. Defendant Hobbs is without information sufficient to form a belief as to the truth  
17 of the allegations in this Paragraph, and therefore denies.

18          206. Defendant Hobbs is without information sufficient to form a belief as to the truth  
19 of the allegations in this Paragraph, and therefore denies.

20          207. Defendant Hobbs admits that of the Adams County precincts included in  
21 Legislative District 15, former President Trump received 60.73% of ballots counted in 2020.  
22 Defendant Hobbs admits that President Biden received more votes than former President Trump  
23 in three Adams County precincts that are included in Legislative District 15. Defendant Hobbs  
24 is without information sufficient to form a belief as to the truth of the remaining allegations in  
25 this Paragraph, and therefore denies.  
26

208. Defendant Hobbs denies that, in the 2020 general election, voters who reside in the new District 15 voted to elect Republican Donald Trump for President in 2020. Defendant Hobbs admits that, in the 2020 general election, voters who reside in the new District 15 voted to elect Culp for Governor and Larkin for Attorney General. Defendant Hobbs admits that, in the 2018 general election, voters who reside in the new District 15 voted to elect Newhouse for U.S. Congress and Hutchison for U.S. Senate. Defendant Hobbs admits that in, in the 2016 general election, voters who reside in the new District 15 voted to elect Republican Donald Trump for President and Bryant for Governor. Defendant Hobbs is without information sufficient to form a belief as to the truth of the allegations in this Paragraph, and therefore denies.

209. Defendant Hobbs is without information sufficient to form a belief as to the truth of the allegations in this Paragraph, and therefore denies.

210. This Paragraph states a legal conclusion to which no response is required. To the extent a response is required, Defendant Hobbs denies the allegations in this Paragraph.

211. Defendant Hobbs is without information sufficient to form a belief as to the truth of the allegations in this Paragraph, and therefore denies.

**F. The Totality of the Circumstances Demonstrates That Latino Voters in the Yakima Valley Region Have Less Opportunity Than Others to Participate in the Political Process and Elect Candidates of Choice**

212. This Paragraph states a legal conclusion to which no response is required. To the extent a response is required, Defendant Hobbs is without information sufficient to form a belief as to the truth of allegations in this Paragraph, and therefore denies

213. Defendant Hobbs is without information sufficient to form a belief as to the truth of the allegations in this Paragraph, and therefore denies.

214. Admitted.

215. Defendant Hobbs is without information sufficient to form a belief as to the truth of the allegations in this Paragraph, and therefore denies.

216. This Paragraph asserts legal conclusions and questions of law to be determined by the Court, to which no response is required. To the extent that a response is required, Defendant Hobbs admits only that this Paragraph has cited a case from California, *Luna v. County of Kern*, 291 F. Supp. 3d 1088 (E.D. Cal. 2018), which speaks for itself. To the extent a further response is required, Defendant Hobbs is without sufficient information to form a belief as to the truth of the allegations in the remainder of this Paragraph, and therefore denies.

217. Defendant Hobbs is without information sufficient to form a belief as to the truth of the allegations in this Paragraph, and therefore denies.

218. Defendant Hobbs is without information sufficient to form a belief as to the truth of the allegations in this Paragraph, and therefore denies.

219. Defendant Hobbs admits that a document titled *Yakima's cultural divide*, with the names Mike Faulk and YakimaHerald.com, and a date of October 16, 2015, appears at the link contained in Paragraph 219 of the Complaint. Defendant Hobbs is without information sufficient to form a belief as to the truth of the allegations in the remainder of this Paragraph, and therefore denies.

220. Defendant Hobbs is without information sufficient to form a belief as to the truth of the allegations in this Paragraph, and therefore denies.

221. Defendant Hobbs admits that, according to news coverage, Antonio Zambrano-Montes was shot and killed by Pasco, Washington police. Defendant Hobbs is without information sufficient to form a belief as to the truth of the remainder of the allegations in this Paragraph, and therefore denies.

222. Defendant Hobbs is without information sufficient to form a belief as to the truth of the allegations in this Paragraph, and therefore denies.

223. Defendant Hobbs is without information sufficient to form a belief as to the truth of the allegations in this Paragraph, and therefore denies.

1           224. Defendant Hobbs is without information sufficient to form a belief as to the truth  
2 of the allegations in this Paragraph, and therefore denies.

3           225. Defendant Hobbs is without information sufficient to form a belief as to the truth  
4 of the allegations in this Paragraph, and therefore denies.

5           226. Defendant Hobbs is without information sufficient to form a belief as to the truth  
6 of the allegations in this Paragraph, and therefore denies.

7           227. Defendant Hobbs is without information sufficient to form a belief as to the truth  
8 of the allegations in this Paragraph, and therefore denies.

9           228. Defendant Hobbs is without information sufficient to form a belief as to the truth  
10 of the allegations in this Paragraph, and therefore denies.

11           229. Defendant Hobbs is without information sufficient to form a belief as to the truth  
12 of the allegations in this Paragraph, and therefore denies.

13           230. Defendant Hobbs is without information sufficient to form a belief as to the truth  
14 of the allegations in this Paragraph, and therefore denies.

15           231. Defendant Hobbs is without information sufficient to form a belief as to the truth  
16 of the allegations in this Paragraph, and therefore denies.

17           232. Defendant Hobbs is without information sufficient to form a belief as to the truth  
18 of the allegations in this Paragraph, and therefore denies.

19           233. Defendant Hobbs is without information sufficient to form a belief as to the truth  
20 of the allegations in this Paragraph, and therefore denies.

21           234. Defendant Hobbs is without information sufficient to form a belief as to the truth  
22 of the allegations in this Paragraph, and therefore denies.

23           235. Defendant Hobbs is without information sufficient to form a belief as to the truth  
24 of the allegations in this Paragraph, and therefore denies.

25           236. Defendant Hobbs is without information sufficient to form a belief as to the truth  
26 of the allegations in this Paragraph, and therefore denies.

1           237. Defendant Hobbs is without information sufficient to form a belief as to the truth  
2 of the allegations in this Paragraph, and therefore denies.

3           238. Defendant Hobbs is without information sufficient to form a belief as to the truth  
4 of the allegations in this Paragraph, and therefore denies.

5           239. Defendant Hobbs is without information sufficient to form a belief as to the truth  
6 of the allegations in this Paragraph, and therefore denies.

7           240. Defendant Hobbs admits that the hyperlink referenced in footnote 2 links to a  
8 webpage headed “Yakima Health District” with information titled *Race and Ethnicity*  
9 *Breakdown of COVID-19 Positive Individuals*. The website states “[t]his information will be  
10 updated every two weeks.” Defendant Hobbs is without information sufficient to form a belief  
11 as to the truth of the allegations in the remainder of this Paragraph, and therefore denies.

12           241. Defendant Hobbs is without information sufficient to form a belief as to the truth  
13 of the allegations in this Paragraph, and therefore denies.

14           242. Defendant Hobbs is without information sufficient to form a belief as to the truth  
15 of the allegations in this Paragraph, and therefore denies.

16           243. Defendant Hobbs is without information sufficient to form a belief as to the truth  
17 of the allegations in this Paragraph, and therefore denies.

18           244. Defendant Hobbs is without information sufficient to form a belief as to the truth  
19 of the allegations in this Paragraph, and therefore denies.

20           245. Defendant Hobbs admits that the hyperlink referenced in footnote 3 links to a  
21 webpage headed “Yakima County Auditor” with information titled *2020 General Election Voter*  
22 *Participation by surname*. Defendant Hobbs further admits that the number 37,978 appears in a  
23 column titled *Issued* and a row titled *Spanish surname*, and the number 21,281 appears in a  
24 column titled *Returned* and a row titled *Spanish surname*. Defendant Hobbs further admits that  
25 the number 89,713 appears in a column titled *Issued* and a row titled *Non-Spanish surname*, and  
26 the number 75,704 appears in a column titled *Returned* and a row titled *Non-Spanish surname*.



1 Defendant Hobbs is without information sufficient to form a belief as to the truth of the  
2 allegations in the remainder of this Paragraph, and therefore denies.

3 246. Defendant Hobbs admits that a February 1, 2022, Performance Audit by the  
4 Office of the Washington State Auditor found that ballots of white voters were rejected at a lower  
5 rate than those of all other racial or ethnic groups. Defendant Hobbs is without information  
6 sufficient to form a belief as to the truth of the remaining allegations in this Paragraph, and  
7 therefore denies.

8 247. Defendant Hobbs admits that a document titled *Investigation finds Latino ballots*  
9 *in WA more likely to be rejected*, with a date of February 15, 2021, and the name Joy Borkholder,  
10 can be found at the hyperlink in this Paragraph. Defendant Hobbs is without information  
11 sufficient to form a belief as to the truth of the remaining allegations in this Paragraph, and  
12 therefore denies.

13 248. Defendant Hobbs admits that a document titled *Investigation finds Latino ballots*  
14 *in WA more likely to be rejected*, with a date of February 15, 2021, and the name Joy Borkholder,  
15 can be found at the hyperlink in this Paragraph. Defendant Hobbs is without information  
16 sufficient to form a belief as to the truth of the allegations in this Paragraph, and therefore denies.

17 249. Defendant Hobbs admits that the lawsuit *Reyes v. Chilton*, case number 4:21-cv-  
18 05075, was filed in the United States District Court for the Eastern District of Washington on  
19 May 7, 2021. Defendant Hobbs admits that the original complaint listed the Latino Community  
20 Fund, the League of United Latin American Citizens, and an individual voter as named plaintiffs.  
21 Defendant Hobbs admits that the original complaint named officials from three counties,  
22 including Yakima County, as defendants. Defendant Hobbs is without information sufficient to  
23 form a belief as to the truth of the allegations in the remainder of this Paragraph, and therefore  
24 denies.

25 250. Defendant Hobbs is without information sufficient to form a belief as to the truth  
26 of the allegations in this Paragraph, and therefore denies.

251. Defendant Hobbs admits that Gabriel Muñoz was a state senate candidate in the former Legislative District 15 in 2014. Defendant Hobbs is without information sufficient to form a belief as to the truth of the remaining allegations in this Paragraph, and therefore denies.

252. Defendant Hobbs admits that Ron Anderson was a candidate for Yakima County Board of Commissioners in 2016. Defendant Hobbs is without information sufficient to form a belief as to the truth of the remaining allegations in this Paragraph, and therefore denies.

253. Defendant Hobbs admits that Dulce Gutierrez was a candidate for Yakima City Council in 2015. Defendant Hobbs is without information sufficient to form a belief as to the truth of the remaining allegations in this Paragraph, and therefore denies.

254. Defendant Hobbs admits that Jose Trevino was a candidate for mayor for the City of Granger in 2015. Defendant Hobbs is without information sufficient to form a belief as to the truth of the remaining allegations in this Paragraph, and therefore denies.

255. Defendant Hobbs admits that Jose Trevino was a candidate for Yakima County Clerk in 2014, and Yakima County Commissioner District 3 in 2018. Defendant Hobbs is without information sufficient to form a belief as to the truth of the remaining allegations in this Paragraph, and therefore denies.

256. Defendant Hobbs is without information sufficient to form a belief as to the truth of the allegations in this Paragraph, and therefore denies.

257. Admitted.

258. Defendant Hobbs is without information sufficient to form a belief as to the truth of the allegations in this Paragraph, and therefore denies.

259. Defendant Hobbs is without information sufficient to form a belief as to the truth of the allegations in this Paragraph, and therefore denies.

260. Defendant Hobbs is without information sufficient to form a belief as to the truth of the allegations in this Paragraph, and therefore denies.

261. Defendant Hobbs admits that Pablo Gonzalez, Teodora Martinez-Chavez, and Bengie Aguilar have each been candidates for state legislative positions in the former Legislative District 15 and that each did not win. Defendant Hobbs is without information sufficient to form a belief as to the truth of the remaining allegations in this Paragraph, and therefore denies.

262. Defendant Hobbs admits that the current Legislative District 15 is represented by Bruce Chandler and Jeremie Dufault in the state house and Jim Honeyford in the state senate. Defendant Hobbs is without information sufficient to form a belief as to the truth of the remaining allegations in this Paragraph, and therefore denies.

263. Defendant Hobbs is without information sufficient to form a belief as to the truth of the allegations in this Paragraph, and therefore denies.

264. Defendant Hobbs is without information sufficient to form a belief as to the truth of the allegations in this Paragraph, and therefore denies.

265. Defendant Hobbs admits that Susan Soto Palmer ran for State Representative in the 2016 Legislative District 14 election and was not elected. Defendant Hobbs is without information sufficient to form a belief as to the truth of the remaining allegations in this Paragraph, and therefore denies.

266. Defendant Hobbs admits that Legislative District 14 is currently represented by Representatives Chris Corry and Gina Mosbrucker and Senator Curtis King. Defendant Hobbs is without information sufficient to form a belief as to the truth of the remaining allegations in this Paragraph, and therefore denies.

267. Defendant Hobbs is without information sufficient to form a belief as to the truth of the allegations in this Paragraph, and therefore denies.

268. Defendant Hobbs admits that Jesse Palacios was elected to the Yakima County Board of Commissioners in 1998 and 2002. Defendant Hobbs is without information sufficient to form a belief as to the truth of the remaining allegations in this Paragraph, and therefore denies.

1           269. Defendant Hobbs is without information sufficient to form a belief as to the truth  
2 of the allegations in this Paragraph, and therefore denies.

3           270. Defendant Hobbs is without information sufficient to form a belief as to the truth  
4 of the allegations in this Paragraph, and therefore denies.

5           271. Defendant Hobbs is without information sufficient to form a belief as to the truth  
6 of the allegations in this Paragraph, and therefore denies.

7           272. This Paragraph states a legal conclusion to which no response is required. To the  
8 extent a response is required, Defendant Hobbs is without information sufficient to form a belief  
9 as to the truth of allegations in this Paragraph, and therefore denies.

## 10 CLAIMS FOR RELIEF

### 11 Count 1

#### 12 Race and Language Minority Discrimination, 13 Discriminatory Results in Violation of Section 2 of the Voting Rights Act 52 U.S.C. § 10301

14           273. Defendant Hobbs restates and incorporates by reference his responses to the  
15 allegations in the Complaint.

16           274. 52 U.S.C. § 10301(a) speaks for itself. This Paragraph states a legal conclusion  
17 to which no response is required. To the extent a response is required, Defendant Hobbs denies  
18 the allegations in this Paragraph.

19           275. This Paragraph states a legal conclusion to which no response is required. To the  
20 extent a response is required, Defendant Hobbs denies the allegations in this Paragraph.

21           276. This Paragraph states a legal conclusion to which no response is required. To the  
22 extent a response is required, Defendant Hobbs denies the allegations in this Paragraph.

23           277. This Paragraph states a legal conclusion to which no response is required. To the  
24 extent a response is required, Defendant Hobbs denies the allegations in this Paragraph.

278. This Paragraph states a legal conclusion to which no response is required. To the extent a response is required, Defendant Hobbs denies the allegations in this Paragraph.

279. This Paragraph states a legal conclusion to which no response is required. To the extent a response is required, Defendant Hobbs denies the allegations in this Paragraph.

280. This Paragraph states a legal conclusion to which no response is required. To the extent a response is required, Defendant Hobbs denies the allegations in this Paragraph.

281. This Paragraph states a legal conclusion to which no response is required. To the extent a response is required, Defendant Hobbs denies the allegations in this Paragraph.

**Count 2**  
**Race and Language Minority Discrimination,**  
**Discriminatory Intent in Violation of Section 2 of the Voting Rights Act**  
**52 U.C.S. § 10301**

282. Defendant Hobbs restates and incorporates by reference his responses to the allegations in the Complaint.

283. This Paragraph states a legal conclusion to which no response is required. To the extent a response is required, Defendant Hobbs denies the allegations in this Paragraph.

**PRAYER FOR RELIEF**

Defendant Hobbs takes no position on whether Plaintiffs are entitled to any relief requested except that Defendant Hobbs denies that Plaintiffs are entitled to an award of costs, expenses, disbursements, or reasonable attorneys' fees as against Defendant Hobbs.

**AFFIRMATIVE DEFENSES**

Defendant Hobbs' affirmative defenses to the Complaint are set forth below. By setting forth the following defenses, Defendant Hobbs does not assume burden of proof on the matter and issue other than those on which he has the burden of proof as a matter of law. Defendant Hobbs reserves the right to supplement these defenses.

1. Plaintiffs have failed to join all necessary parties.

2. One or more Plaintiffs lack individual or associational standing to bring this action.

**PRAYER FOR RELIEF**

1. Such relief as the Court deems just and proper.

DATED this 9th day of March 2022.

ROBERT W. FERGUSON

*Attorney General*

*s/ Karl D. Smith*

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**DECLARATION OF SERVICE**

I hereby declare that on this day I caused the foregoing document to be electronically filed with the Clerk of the Court using the Court's CM/ECF System which will serve a copy of this document upon all counsel of record.

DATED this 9th day of March 2022, at Olympia, Washington.

*s/ Leena Vanderwood*  
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